

**2005 DRAFTING REQUEST**

**Bill**

Received: **11/26/2004**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - LRC 6-1308**

By/Representing: **Nich Z**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Military Affairs - nat'l guard**

Extra Copies:

Submit via email: **YES**

Requester's email: **nicholas.zavos@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Youth challange enrollees

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	rnelson2 12/06/2004	jdye 12/07/2004	rschlue 12/07/2004	_____	lemery 12/07/2004		
/1	rnelson2 09/27/2005	kfollett 10/20/2005	pgreensl 10/21/2005	_____	lemery 10/21/2005	sbasford 10/25/2005	

FE Sent For:

<END>

*none needed*

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	12/06/2004	12/07/2004	12/07/2004		12/07/2004		

FE Sent For:

11 kjf  
10/20

19  
1/21  
pr

<END>

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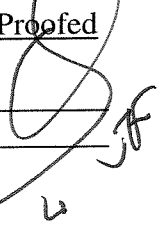
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1?	rnelson2	PI 12/7 jld					

FE Sent For:

<END>

### **The need for the change.**

The Department of Military Affairs initially requested this technical correction in its 2001-2003 biennial budget request. Due to the fact that it was considered a policy issue and had no fiscal consequence, it was removed from the budgetary language. Since that time it has been formally introduced as 2001 AB 552 and as 2003 AB 124. Unfortunately, both bills made it out of their respective legislative Committees but failed to get passed by both houses before the legislature went out of session.

03-09A

### **Estimate of the fiscal effect.**

There will be no fiscal impact with the enactment of this language as this matter is a technical correction only. The language merely aligns statutory training requirements for members of the regional response teams with the current training requirements for fire fighters performing these types of duties. The appropriation created under s. 20.465 (dd), Stats. is a sum certain appropriation with its spending authority limited at \$1,4000.000 per year.

### **Remedial legislative proposal #2**

#### **Specific statutory change requested.**

**21.26 (2).** Annually, the department of military affairs shall do all of the following:

(q) Calculate 40% of the average cost per pupil attending the Youth Challenge program and report this information to the department of public instruction.

(b) Notwithstanding s. 118.125, report to each school district in which a pupil attending the program is-enrolled resides the pupil's name and the name and address of the pupil's custodial parent or guardian.

#### **The administrative or substantive problem with the current statutory language.**

A pupil that has been expelled from a school district is no longer considered to be "enrolled" in that school district. The current statutory language creates a reporting dilemma for the Department because many pupils attending the Youth Challenge program have been formally expelled from their school district and are, therefore, technically not considered to be enrolled in a school district.

### **The need for the change.**

The Youth Challenge program is specifically aimed at a select population of "at risk" youth that are high school drop-outs, habitual truants or expelled from school. The reporting scheme in the current statutory language creates a "catch-22" for the Department because it has an affirmative duty to report specific pupil information yet there is no qualifying school district. The requested remedial proposal simplifies the reporting requirement to the school district of pupil residency.

### **Estimate of the fiscal effect.**



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-1013/P1

RPN: A.....

JLD

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen


1

AN ACT ...; **relating to:** reporting to school districts of attendance in the Youth

2

Challenge program (suggested as remedial language by the department of

3

military affairs) 

**Analysis by the Legislative Reference Bureau** ✓

Current law requires the department of military affairs (DMA) to notify the school district in which a student is enrolled of the name of the student and the name and address of the parent of the student who is attending the Youth Challenge program. That program provides services to youth who are at risk of not completing their K-12 education, including youth who have dropped out of high school. This bill changes the notice requirement to require DMA to notify the school district where the youth resides, instead of the school district in which the student is enrolled.

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

\* LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the department of military affairs and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

in grades kindergarten to 12

1           **SECTION 1.** 21.26 (2) (b) of the statutes is amended to read:

2           21.26 (2) (b) Notwithstanding s. 118.125, report to each school district in which  
3           a pupil attending the program ~~is enrolled~~ resides ✓ the pupil's name and the name and  
4           address of the pupil's custodial parent or guardian.

5           History: 1997 a. 237; 2001 a. 109.

(END)

**Nelson, Robert P.**

---

**From:** Veum, Rachel  
**Sent:** Tuesday, September 27, 2005 9:46 AM  
**To:** Nelson, Robert P.; Kreye, Joseph  
**Cc:** Veum, Rachel  
**Subject:** Law Revision Bill Drafts

Hi Bob and Joe,

Don Dyke has done Section notes for the following LRC bill drafts:

1013/p1 (Bob)  
0967/p1 (Joe)

I typed inserts in a bill template and put it into the "LC to LRB cabinet" for you. Don said these are ready to be made a /1 and introduced. If I can assist in any other way, please let me know. Thanks!

*Rachel A. Veum*

Wisconsin Legislative Council Staff  
One East Main Street, Suite 401  
Madison, WI 53703  
(608) 266-1947  
rachel.veum@legis.state.wi.us

09/27/2005





State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-1013/P1

RPN:jld:rs

10/26

↓  
E. J. F.

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen

- 1 AN ACT *to amend* 21.26 (2) (b) of the statutes; **relating to:** reporting to school
- 2 districts of attendance in the Youth Challenge program (suggested as remedial
- 3 language by the Department of Military Affairs).

---

***Analysis by the Legislative Reference Bureau***

Current law requires the Department of Military Affairs (DMA) to notify the school district in which a student is enrolled of the name of the student and the name and address of the parent of the student who is attending the Youth Challenge program. That program provides services to youth who are at risk of not completing their education in grades kindergarten to 12, including youth who have dropped out of high school. This bill changes the notice requirement to require DMA to notify the school district where the youth resides, instead of the school district in which the student is enrolled.

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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1        **SECTION 1.** 21.26 (2) (b) of the statutes is amended to read:

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3           a pupil attending the program is ~~enrolled~~ resides the pupil's name and the name and  
4           address of the pupil's custodial parent or guardian.

5 (END)

Insert 274

Insert 2-4

the Department of Military Affairs

NOTE TO LRB-1013/P1 (INSERT 2A)

note: std

NOTE: According to ~~DMA~~, the current reporting requirement creates a dilemma for the department because many pupils participating in the Youth Challenge program have been formally expelled from their school district and, therefore, are not considered to be enrolled in a school district. The proposed change simplifies the reporting requirement by requiring notice to the school district where the pupil resides.

NOTE TO LRB-0967/P1 (INSERT 1A)

NOTE: Subsection (7), referred to in the stricken internal cross-reference, was repealed by 1991 Wisconsin Act 39, SEC. 2135x. The Revisor of Statutes suggested the repeal of this cross-reference.

**Basford, Sarah**

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**From:** Veum, Rachel  
**Sent:** Tuesday, October 25, 2005 10:10 AM  
**To:** LRB.Legal  
**Subject:** Bills to Jacket

Hello,

We would like the following LRB drafts jacketed for the Senate. Thanks much!

LRB-1013/1  
LRB-0967/1  
LRB-0848/1  
LRB-0847/1

*Rachel A. Veum*

Wisconsin Legislative Council Staff  
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10/25/2005